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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/324,568	06/02/1999	ADRIAN O. MANCINI	0500.01327	1726

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EXAMINER

ZAND, KAMBIZ

ART UNIT PAPER NUMBER

2132

DATE MAILED: 01/13/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/324,568

Applicant(s)

MANCINI ET AL.

Examiner

Kambiz Zand

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-21 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/18/2003 has been entered.

2. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.

3. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.

4. Claim 1 has been amended.

5. Claims 1-21 are pending.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 3-8 and 15-21 filed 12/18/03 have been fully considered but they are not persuasive.

Col.7, lines 27-67 and col.8, lines 1-3 disclose not only how a subordinate authority is added to a system, but also how the trust between the subordinate authorities and a common ancestor (superior authority) function. Examiner considers Abadi's reference not only disclosing a subordinate as a part of a system but also how it becomes as a part of the system. Examiner suggests Applicant to concentrate on the functions of subordinates once they become as a part of the system as described above. Therefore the Applicant's arguments that Applicant's invention relates to a system that already consist of subordinates' authorities are rejected.

With respect to Applicant's assertion that Abadi does not teach that the superior authority generates data "to dynamically vary validation starting authorities among the subordinates authorities" and where modification data is considered as policy control message data, Examiner refers Applicant's to col.7, lines 41-68 and col.8, lines 1-3 wherein each directory should identify the parent directory's certifying authority; and where many certify authority are present in hierarchical structure having a common ancestor (superior authority); and these certificate authorities are dynamically validate other certify authority under their directory wherein the trust among some are more than others and where the data that is not from users certify from the same certify authority within a directory, then they cross certify the users all the way to the superior authority. Therefore there is a generation of the data by superior authority that allows the certificate authorities to dynamically start a process according to the rules set forth. However Examiner suggests that if the task of the above arguments is specific in a way to distinguish Applicant's invention from the Abadi's reference, then Applicant should

present those arguments or such amendments in order to expedite the prosecution of the application.

With respect to changing the trust authority based on the inter trust authority modification data, Examiner considers col.7, lines 59-8 and col.8, lines 1-3 disclose that inter trust between some certify authorities are more than other certify authorities and it is based on that trust structure that changes of inter trust authority will be changed based on the trust modification data.

Examiner agrees with Applicant's arguments with respect to claim 2 in light of the limitations of claim 1, however Examiner reject Applicant's arguments with respect to claim 16 even though examiner has grouped it with claim 2 since the limitations of claim 16 in light of claim 15 is broad enough to be rejected based on the above arguments.

Examiner also agrees with Applicant's arguments with respect to claim 9, since claim 9 limitations include limitations of claims 1-3.

Claim Rejections - 35 USC § 112

7. **Claims 9-14** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 9, the “wherein..” and “configurable” phrases makes the claims indefinite and unclear in that neither means nor interrelationship of means are set forth in these claims in order to achieve the desired results expressed in the “wherein...” phrases.

In claim 9, the “wherein..” and “configurable” phrases makes the claims indefinite and unclear in that neither method steps nor interrelationship of method steps are set forth in these claims in order to achieve the desired results expressed in the “wherein...” phrases.

All dependent claims 10-14 currently pending in this application are unclear in that they depend from unclear independent claims.

Claim Rejections - 35 USC § 102

8. **Claims 1, 3-8 and 15-21** are rejected under 35 U.S.C. 102(b) as being anticipated by Abadi et al (5,315,657 A).

As per claims 1 and 15 Abadi et al (5,315,657 A) teach an information security system and method comprising: a plurality of trusted authorities configurable in a rooted hierarchical structure (see col.7, lines 40-47) including at least one of the trusted authorities being a superior authority (see col.7, lines 27-29) and at least one of the trusted authorities being a subordinate authorities (see col.7, lines 45-48); and

the superior authority operative to generate an inter trust authority modification data to a dynamically vary validation starting authorities among the subordinate authorities (see 66-68 and col.8, lines 1-2 wherein an inter trust between the different certificate authorities is being implemented by cross-certifying each other wherein their root is a common ancestor). Also see col.6, lines 58-68; col.7, lines 1-28; col.8, lines 55-68 and col.9 for more detailed inter trust between different authorities, their certification and verification.

As per claims 3 and 17 Abadi et al (5,315,657 A) teach the system and method of claims 1 and 15 wherein at least one of the subordinate authorities includes a subscriber trust anchor specifier, operatively responsive to the inter trusted authority modification data, that generates trust modification data for a plurality of subscribers (see col.9, lines 24-54).

As per claims 4 and 18 Abadi et al (5,315,657 A) teach the system and method of claims 3 and 17 wherein the trust anchor modification data includes subordinate trust anchor data representing at least one trust anchor different from a local trust authority (see col.66-68 and col.8, lines 1-2 wherein one of the user is not certified by a local trust authority and that's why cross certification is being done between them in order to create a trust).

As per claims 5 and 19 Abadi et al (5,315,657 A) teach the system and method of claims 1 and 15 wherein the superior authority includes a trust anchor modification data certificate issuer that provides the trust anchor modification data as a signed data structure for the subordinate authorities (see col.7, lines 50-53 and col.8, lines 42-44 wherein all new certification are signed representing signed data structure).

As per claims 6 and 20 Abadi et al (5,315,657 A) teach the system and method of claims 1 and 15 wherein the trust anchor modification data includes data representing at least one of: scope of certification data, subordinate authority cross-certification allowance data, subordinate authority certification rule data, subordinate authority password rule data, subscriber trust anchor rule data and subscriber password rule data, certificate expiry policy, subscriber algorithm policy, and policy control message data (see as an example col.7, lines 66-68 and col.8, lines 1-2 for cross-certification data; col.8, lines 45-52 for certificate expiry policy).

As per claim 7 Abadi et al (5,315,657 A) teach the system and method of claims 1 wherein one of the trusted authorities is a root authority (see col.7, lines 53-55).

As per claims 8 and 21 Abadi et al (5,315,657 A) teach the system and method of claims 1 and 15 including subordinate authority memory containing data representing validation starting authority data, wherein the data is stored in response

to receiving the inter trusted authority trust modification (see col.8, lines 42-44; col.10, lines 7-24).

As per claim 16 Abadi et al (5,315,657 A) teach the system and method of claim 15 including issuing certificate for at least one subscriber based on the inter trusted authority modification data (see col.7, lines 48-65 and col.col.8, lines 12-44 wherein the request for certification that is the modified data is being certified by inter trust authorities by issuing a signed certificate).

Allowable Subject Matter

9. Claim 9-14 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

10. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-

Art Unit: 2132

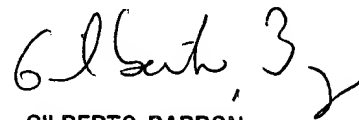
4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

Official

(703) 872-9306

Kambiz Zand

01/12/04



GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100